

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
TZIVA RAPOPORT-HECHT, individually on) 14-CIV-9087 (KMK)
behalf of herself and all others similarly)
situated,)
) ORAL ARGUMENT
) REQUESTED
Plaintiff,)
)
v.)
)
SEVENTH GENERATION, INC.)
)
Defendant.)
-----X	

**DEFENDANT SEVENTH GENERATION INC.'S NOTICE OF MOTION AND MOTION
TO DISMISS PLAINTIFF'S COMPLAINT (FED. R. CIV. PROC. 12(b)(6))**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Please take notice that Defendant Seventh Generation, Inc. ("Defendant"), by and through its undersigned counsel, will and does hereby move this Court before the Honorable Judge Kenneth M. Karas, at the United States District Court for the Southern District of New York, the Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse, 300 Quarropas Street, White Plains, New York 10601, for an Order pursuant to Federal Rule of Civil Procedure 12 dismissing the First, Third, Fourth, and Fifth causes of action in Plaintiff Tziva Rapoport-Hecht's Class Action Complaint.

Defendant Seventh Generation Inc.'s Motion to Dismiss Plaintiff's Complaint (Fed. R. Civ. Proc. 12(b)(6)) is based on this Notice of Motion and the accompanying Memorandum of Law in support, together with all documents and records on file in this action, and on other such oral and documentary evidence as may be presented at the hearing.

Defendant respectfully requests that the Court schedule oral argument with respect to their motion.

Respectfully submitted,

DATED: May 15, 2015

MINTZ LEVIN COHN FERRIS
GLOVSKY AND POPEO PC

By: /s/ Michelle Gillette
Daniel J. Herling (*Admitted Pro Hac Vice*)
Djherling@mintz.com
Michelle Gillette (*Pro Hac Vice Pending*)
Mgillette@mintz.com
Joshua T. Foust (NY Bar ID #4736781)
Jtfoust@mintz.com
MINTZ LEVIN COHN FERRIS
GLOVSKY AND POPEO PC
44 Montgomery Street, 36th Floor
San Francisco, CA 94104
Telephone #: (415) 432-6000
Facsimile #: (415) 432-6001

Francis J. Earley
fjearley@mintz.com
MINTZ LEVIN COHN FERRIS
GLOVSKY AND POPEO PC
Chrysler Center
666 Third Avenue
New York, NY 10017
Telephone #: (212) 935-3000
Facsimile #: (212) 983-3115

Counsel for Defendant
SEVENTH GENERATION, INC.